

Senate Bill 34

By: Senators Moody of the 56th, Weber of the 40th, Johnson of the 1st, Williams of the 19th, Thomas of the 54th and others

AS PASSED

AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," so as to provide for legislative findings; to provide for the establishment of the "Georgia Master Teacher Program"; to provide for the establishment of criteria for Master Teacher Certification; to provide for the establishment of rules and regulations by the Professional Standards Commission; to revise certain provisions relating to salary increases for persons receiving certification from the National Board for Professional Teaching Standards; to provide for the establishment of the "Academic Coach Program"; to provide for the establishment of rules and regulations by the State Board of Education; to provide for the employment of an academic coach by a public school in accordance with a school improvement plan; to provide for monetary and other incentives for academic coaches; to provide for the establishment of a Master Teacher and Academic Coach Implementation Committee; to provide for the composition, duties, and duration of the committee; to provide for automatic repeal; to enact a new Part 6A of Article 17, relating to teachers and other school personnel, so as to provide an additional benefit and support for teachers and other school personnel by providing professional liability insurance coverage for teachers, principals, other certificated personnel, and student teachers by the state; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," is amended by inserting a new Code section after Code Section 20-2-204 to be designated Code Section 20-2-205 to read as follows:

"20-2-205.

(a) The General Assembly finds that excellent public school teachers deserve recognition for the extraordinary learning opportunity they provide to Georgia students.

(b) The Professional Standards Commission is authorized and directed to establish the 'Georgia Master Teacher Program' to provide recognition to certificated public school teachers who exhibit excellence in the classroom.

(c) The Professional Standards Commission shall establish criteria for a Master Teacher Certification. Such criteria shall include, at a minimum, evidence of student achievement, which must include student progress. A public school teacher with three or more years of teaching experience in Georgia may submit an application to the Professional Standards Commission for a Master Teacher Certification. The Professional Standards Commission shall review each application and determine whether a teacher meets the criteria for a Master Teacher Certification. If the Professional Standards Commission finds that a teacher's application meets the criteria, the teacher will be given a Master Teacher Certification, and that teacher will be known as and may be called a Master Teacher for a term to be determined pursuant to rules and regulations of the Professional Standards Commission, but in no event longer than seven years. The Professional Standards Commission is authorized to develop rules and regulations governing the Master Teacher Certification.

(d) This Code section shall be repealed on June 30, 2009."

SECTION 1A.

Said article is further amended by striking Code Section 20-2-212.2, relating to salary increase for persons receiving certification from National Board for Professional Teaching Standards, and inserting in its place the following:

"20-2-212.2.

(a) As used in this Code section, the term:

(1) 'High-needs school' means a Georgia public school that has received an unacceptable rating for a period of two or more consecutive years; and

(2) 'National certification' means certification obtained from the National Board for Professional Teaching Standards.

(b) For initial national certification prior to July 1, 2006, and subsequent renewals anytime thereafter,

(1) Any person who:

(A) Is currently teaching full time in a Georgia public school and holds a valid Georgia teaching certificate; and

(B) Has successfully completed the prerequisite portfolio of student work and examination and has received national certification

shall receive not less than a 10 percent rate increase in state salary for each year he or she holds national certification. Such increase shall be awarded beginning on the date such certification is received. The 10 percent increase shall be computed based on the state salary for such individual when national certification is received and recomputed each subsequent year based on the individual's state salary for that school year. In the case of a person who has received such national certification prior to July 1, 2000, and is receiving or is eligible to receive a 5 percent rate increase, the 5 percent rate increase shall be changed to a 10 percent rate increase effective with the commencement of the 2000-2001 school year. The increase in state salary provided by this Code section shall be in addition to any other increase for which the person is eligible.

(2) A teacher shall be granted two days of approved paid leave to prepare the portfolio of student work required for national certification.

(3) A portion of the national certification program participation fee may be paid by the state prior to certification for any person who:

(A) Is currently teaching in a Georgia public school and holds a valid Georgia teaching certificate;

(B) Has submitted an application and the initial qualifying payment to the National Board for Professional Teaching Standards; and

(C) Has successfully completed a screening process developed by the Professional Standards Commission.

(4) A teacher for whom the State of Georgia pays a portion of the national certification participation fee and who does not teach in a Georgia public school for at least one year after receiving certification shall repay the state's portion of the participation fee to the state. Repayment is not required if the teacher is unable to complete the additional year of teaching due to the death or disability of the teacher, and repayment is not required if the teacher fails to receive national board certification.

(5) The portion of the national certification program participation fee paid by the participant shall be reimbursed by the state upon certification for any teacher who is eligible for an increase pursuant to subsection (b) of this Code section.

(6) A teacher for whom the State of Georgia reimburses the cost of the participation fee and who does not teach in a Georgia public school for at least one year after receiving certification shall repay the reimbursement payment to the state. Repayment is not required if the teacher is unable to complete the additional year of teaching due to the death or disability of the teacher.

(b.1) Any person who has enrolled in the process, as determined by the Professional Standards Commission, of attaining national certification on or before March 1, 2005, and who obtains initial certification and subsequent renewals after July 1, 2006, shall be eligible for salary increases pursuant to subsection (b) of this Code section if such person otherwise meets the requirements of subsection (b).

(c) Except as provided for in subsection (b.1) of this Code section, for initial national certification on and after July 1, 2006, and subsequent renewals anytime thereafter,

(1) Any person who:

(A) Is currently teaching full time in a high-needs school and holds a valid Georgia teaching certificate as defined by the Professional Standards Commission; and

(B) Has successfully completed the prerequisite portfolio of student work and examination and has received national certification

shall receive not less than a 10 percent rate increase in state salary for each year he or she holds national certification. Such increase shall be awarded beginning on the date such certification is received. The 10 percent increase shall be computed based on the state salary for such individual when national certification is received. A teacher who transfers to a high-needs school after such individual receives national certification shall receive such increase beginning on the effective date of transfer if the teacher meets the requirements of this subsection, and such increase shall be computed based on the state salary for such individual on the effective date of the transfer. Provided such individual remains employed in a high-needs school or in a school that was designated as a high-needs school at the time the individual received national certification or transferred to such school and otherwise continues to meet the requirements of this subsection, the 10 percent increase shall be recomputed each subsequent year based on such individual's state salary for that school year.

(2) A teacher shall be granted two days of approved paid leave to prepare the portfolio of student work required for national certification.

(3) The Professional Standards Commission shall provide annually to the Department of Education a roster of teachers who have attained and retained national certification and are eligible for the annual increase.

(4) The Professional Standards Commission shall be authorized to accept, receive, distribute, and administer funds to be used for national certification program participation fees."

SECTION 2.

Said article is further amended by inserting new Code sections after Code Section 20-2-212.4 to be designated Code Sections 20-2-212.5 and 20-2-212.6 to read as follows:

"20-2-212.5.

(a) The General Assembly finds that many teachers wish to spend their entire career teaching in a classroom setting. However, the current salary structure offers few financial incentives for public school teachers to continue in the classroom throughout their careers. The General Assembly finds that new opportunities for career advancement must be developed to encourage excellent public school teachers to continue teaching students and to contribute to the development of other teachers.

(b) The State Board of Education is authorized and directed to establish the 'Academic Coach Program' to provide certificated public school teachers who exhibit excellence in the classroom with salary supplements or bonuses in exchange for mentoring other public school teachers. The state board is authorized to develop rules and regulations for such program, including requiring reports, data, or other measures of accountability.

(c) A local school system desiring the expertise and competency of an academic coach in one or more of its schools shall develop a school improvement plan for each such school which identifies the academic strengths and the areas which need improvement in each such school and which identifies areas where the expertise and competency of an academic coach could lead to improved academic performance of its students. A local school system desiring an academic coach in one or more of its schools shall submit such plan or plans on behalf of the school or schools in its district to the Department of Education which will certify that the plan or plans includes identified deficiencies in school performance that an academic coach can address. Once such certification is obtained, the school system may employ an academic coach or coaches according to the terms of the school improvement plan to be a classroom teacher for one or more segments per day or to perform other duties commensurate with the school improvement plan.

(d) Prior to working as an academic coach in a school, an academic coach must receive a Master Teacher Certification from the Professional Standards Commission, as provided for in Code Section 20-2-205. The academic coach shall participate in professional learning relative to performing duties as an academic coach and to the teaching and learning needs identified in the school improvement plan as described in subsection (c) of this Code section.

(e) As part of its review of a school improvement plan, the school council at each school is authorized to request and receive data from the school relative to the school's utilization

of an academic coach and whether such use of an academic coach has led to increased academic performance.

(f) The state board is authorized, subject to appropriations by the General Assembly, to:

- (1) Provide funds to local school systems that release academic coaches from the regular classroom for one or more segments per day;
- (2) Compensate academic coaches with salary supplements if they serve schools that have received an unacceptable rating for a period of two or more consecutive years; and
- (3) Compensate academic coaches and other teachers or personnel participating or involved in the program with bonuses based on demonstrated school-wide gains in student achievement.

Nothing shall prohibit local boards of education from providing additional salary supplements and bonuses to any teacher serving as an academic coach.

(g) This Code section shall be repealed on June 30, 2009.

20-2-212.6.

The Governor shall appoint a Master Teacher and Academic Coach Implementation Committee to advise the Professional Standards Commission and the State Board of Education on the development of such rules governing the Georgia Master Teacher Program, in accordance with Code Section 20-2-205, and the Academic Coach Program, in accordance with this Code section. Such committee shall include at a minimum, two Department of Education staff members, two State Board of Education members, two Professional Standards Commission staff members, two Professional Standards Commission members, six teachers, one local school superintendent, one principal, one local school board member, two parents of public school students, the director of the Office of Student Achievement or his or her designee, one staff member from Georgia's Leadership Institute for School Improvement, the chair of the Senate Education Committee or his or her designee, the chair of the House Committee on Education or his or her designee, and the director of the Office of Planning and Budget. The implementation committee shall hold public hearings across the state for the purpose of receiving input from parents, teachers, and other educators. In addition to developing recommendations for rules governing the designation of Master Teachers, the implementation committee shall develop recommendations for guidelines designed to provide information to principals on hiring and utilizing the services of an academic coach. The Master Teacher and Academic Coach Implementation Committee shall make its recommendations to the

Professional Standards Commission and the State Board of Education no later than December 31, 2005. The implementation committee shall be disbanded on December 31, 2005. This Code section shall be repealed on December 31, 2005."

SECTION 3.

Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to teachers and other school personnel, is amended by adding after Part 6 a new part to read as follows:

"Part 6A

20-2-930.

(a) For purposes of this Code section, the term:

(1) 'Certificated personnel' means all teachers, principals, and other education personnel certificated by the Professional Standards Commission.

(2) 'Student teacher' means a college or university student in an education degree program in a unit of the University System of Georgia or in a private postsecondary institution who, as part of the degree program, is in a local school system in a classroom setting providing instruction to students and being mentored by a teacher.

(b) The Department of Administrative Services shall be authorized to purchase or provide a policy or policies of professional liability insurance, subject to appropriations by the General Assembly, insuring certificated personnel who are employed by a local school system and student teachers. Such policy or policies shall protect against damages arising out of the performance of their duties or in any way connected therewith. The amount of such insurance and the appropriate coverages shall be in the discretion of the Department of Administrative Services, subject to specific appropriations by the General Assembly.

(c) Insurance coverage provided pursuant to this Code section shall automatically cover all certificated personnel who are employed by a local school system and student teachers and shall be at no cost to such certificated personnel or student teachers.

(d) The program of insurance under this part shall be administered by the Department of Administrative Services and such department shall be authorized to promulgate any necessary rules and regulations to implement such program.

(e) The program of insurance shall be effective for insurance coverage of certificated personnel and student teachers no later than July 1, 2005."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.